

U.S. Application No. 09/539,972
Attorney Docket No. 99-837 RCE 1
Customer No. 32,127

REMARKS

In the final Office Action, the Examiner rejected claims 1 and 3 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,532,241 to Ferguson et al. ("Ferguson") in view of U.S. Patent No. 6,163,544 to Andersson et al. ("Andersson"); and rejected claims 4-8, 17, and 18 under 35 U.S.C. §103(a) as unpatentable over Ferguson in view of Andersson, and further in view of U.S. Patent No. 5,926,463 to Ahearn et al. ("Ahearn").

In view of the following remarks, Applicants respectfully traverse the Examiner's rejections of the claims under 35 U.S.C. §103(a).

To establish a prima facie case of obviousness, three basic criteria must be met. First, the prior art reference as modified must teach or suggest all the claim elements. (See M.P.E.P. 2143.03 (8th ed. 2001)). Second, there must be some suggestion or motivation, either in the reference or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings. (See M.P.E.P. 2143 (8th ed. 2001)). Third a reasonable expectation of success must exist. Moreover, each of these requirement must "be found in the prior art, and not be based on applicant's disclosure." (M.P.E.P. 2143.03 (8th ed. 2001)).

Claim 1, as amended, provides for:

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A method for customer centric network management comprising the steps, performed by a processor, of:

- receiving identification data corresponding to a customer in a network, wherein the customer is an entity selected from the group consisting of natural persons, companies, organizations, and enterprises;
- accessing a generic information model database for one or more customer records corresponding to the customer identification data;
- receiving selection information identifying a selected one of the one or more customer records, wherein the selected customer record corresponds to the customer; and
- providing actual circuit path information corresponding to a customer service based on the selected customer record, wherein the actual circuit path information is used to generate a graphical representation of heterogeneous network components supporting a specific service for the customer.

The Examiner rejected claims 1 and 3 under 35 U.S.C. 103(a) as unpatentable over *Ferguson* in view of *Andersson*. With respect to claim 1, the Examiner alleged that *Ferguson discloses*: receiving identification data corresponding to a customer in a network; accessing a database for one or more customer records corresponding to the customer identification data; receiving selection information identifying a selected one of the one or more customer records, wherein the selected customer record corresponds to the customer; and providing actual circuit path information corresponding to a customer service based on the selected customer record, wherein the actual circuit path information is used to generate a graphical representation of heterogeneous network components supporting a specific service for the customer.

The Examiner, however, is apparently equating "customer" with a network component.

Ferguson discloses a technique for identifying a data session flowing through entities of a multi-protocol network based on information contained within a service request provided by a user of the network (*Ferguson* abstract). The entities of the network comprises a System Network Architecture ("SNA") host mainframe, an end station and intermediate stations (*Ferguson* col. 8, lines 32-34). The technique uses

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search criteria to filter SNA sessions, the search criteria comprising various attributes of network components in the SNA (col. 8, line 57-col. 9 line 8; col. 12 lines 28-36; fig. 8).

In contrast to the method of claim 1, which corresponds the identification data "to a customer in a network," *Ferguson* ties the identification data to a network component. Unlike the claimed invention, *Ferguson* does not teach receiving data corresponding to a customer, accessing a database for one or more customer records corresponding to the customer identification data, receiving selection information identifying a selected set of customer records, and using the customer records in order to provide actual circuit path information used to create a graphical representation of heterogeneous network components supporting a specific service for a customer. The difference manifests itself in several ways. For example, the claimed invention tracks customers wherever they are located, such as, if they change machines. *Ferguson*, however, is limited to specific machines at specific locations.

The Examiner uses *Andersson* to allege a disclosure of storing information according to a generic information model. *Andersson*, however, makes no mention of using the customer and the customer records as presently claimed. For example, *Andersson* does not provide for "receiving identification data corresponding to a customer in a network, wherein the customer corresponds to an entity such as natural persons, companies, organizations, or enterprises," and not network components.

Because claims 3 and 16 are independent claims with recitations similar to those of claim 1, they are allowable over *Ferguson* in view of *Andersson*, for at least the reasons discussed above with respect to claim 1.

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With regard to the Examiner's rejections of claims 4-8 and 17-18 under 35 U.S.C. 103(a) as unpatentable over *Ferguson* in view of *Andersson* and further in view of *Ahearn*, Applicants respectfully traverse these rejections as well.

Claims 17 and 18 are independent claims with recitations similar to those of claims 3 and 1, respectively, which are not taught by either *Ferguson* or *Andersson*, as discussed above. Applicants respectfully submit that *Ahearn* is not sufficient to overcome the deficiencies of *Ferguson* and *Andersson*. *Ahearn* discloses a system for viewing a configuration of a computer network (*Ahearn* abstract). Devices in the network may be graphically displayed according to physical connectivity and status (*Ahearn* abstract). A network supervisor may use the system to create an IP view of a network that shows all of the devices and links between a particular workstation and a particular server, for example see (col. 6 lines 23-33; fig. 1). However, *Ahearn* does not teach or suggest "receiving identification data corresponding to a customer in a network, wherein the customer corresponds to an entity such as natural persons, companies, organizations, or enterprises," and not network components. Therefore, claims 17 and 18 are allowable not only for the reasons stated above with regard to independent claims 3 and 1, respectively, but also for their own additional features that distinguish them from *Ferguson*, *Andersson*, and *Ahearn*.

Moreover, dependent claims 4-8 are allowable not only for the reasons stated above with regard to their allowable base claim 3, but also for their own additional features that distinguish them from *Ferguson*, *Andersson*, and *Ahearn*.

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Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1, 3-8, and 16-18 in condition for allowance. Applicants submit that the proposed amendments of claims 1,3, and 16-18 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

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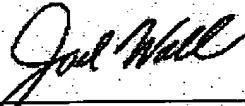
In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 07-2347.

Respectfully submitted,

VERIZON CORPORATE SERVICES
GROUP, INC.

Dated: February 14, 2005

By: 
Joel Wall
Reg. No. 25,648